

Sex Offender Classification Board Meeting

Minutes

December 9, 2005 – 9:00 a.m.

Present: Thomas Hearn - chair, Gary Horton, Pamela Huntsman and Moscelene Sunderland, members; Kathy Baird, assistant.

Guest: Lorie Brisbin, IDOC PREA Coordinator.

IDOC PREA Program – Lorie Brisbin

- Federal law requires full implementation of the Prison Rape Elimination Act by 2006. The Act applies to all criminal justice locations where people are detained, and concerns inmate-to-inmate sexual assaults as well as staff sexual misconduct.
- Idaho is a national frontrunner in implementation of the Act.
- The IDOC is tracking sexual misbehavior of its inmates.
 - In the past, staff were not trained in handling sexual assault situations and evidence was lost. Ms. Brisbin has been involved in developing an education program for offenders regarding sexual assault in prison. She has also been actively training IDOC and sheriffs office/police department staff around the state on this subject.
 - One case (nationally) involving this type of sexual assault was recently successfully prosecuted and upheld by the Supreme Court.
 - It is hoped that prosecutors will take these cases more seriously, and seek prosecution of the offending parties.
 - Confidentiality and protection of victims of incarceration-sexual assault is a big issue.

Minutes Approval

Minutes of the following meeting were reviewed:

- October 7, 2005 regular meeting
- November 9, 2005 conference call

A MOTION WAS MADE BY PAMELA HUNTSMAN TO APPROVE THE OCTOBER 7TH AND NOVEMBER 9TH MINUTES AS WRITTEN. THE MOTION WAS SECONDED BY MOSCELENE SUNDERLAND AND PASSED UNANIMOUSLY.

Budget Update – Kathy Baird, SOCB Assistant

As a large portion of the board's operating funds are expended, there is concern over potential travel expenditures during the legislative session. Board members will take turns traveling to Boise for legislative meetings as required, in effort to cut costs.

Legal Review – Tim McNeese, Deputy Attorney General

- The IDOC's proposed plan for lifetime supervision for sex offenders will not be presented during the coming legislative session.
- Other possible ideas for sex offender management include shortening the timeframes for registering with law enforcement, and increasing the penalty for failing to register.
- Chairman Hearn anticipates that there will be public uproar if nothing is done to address sex offender management this year.
- The board discussed court referrals for SOCB review. Procedures for such referrals should be clarified, but will require statutory and administrative rule changes. Funding requirements will need to be addressed as well.

- Further discussion with the courts on this issue is suggested.
- Mr. McNeese provided an update on recent court cases and pending litigation.

Legislative Activity – Board Discussion

- Board members should be prepared to speak on sex offender management issues during the legislative session, such as supervision for dangerous sex offenders, and a tiered registration/sex offender risk level system.
- Ms. Huntsman presented a brief synopsis of the risk level procedures for Montana, Wyoming, and Nevada.
- The board reviewed and will provide feedback on a legislative language draft for Senator Goedde.

A MOTION WAS MADE BY MOSCELENE SUNDERLAND TO ADJOURN THE MEETING TO EXECUTIVE SESSION. THE MOTION WAS SECONDED BY GARY HORTON, AND PASSED UNANIMOUSLY.

Executive Session

- Sex offender case review, pursuant to I.C. 67-2345 (1)(h) and I.C. 18-8315.
 - Inmate Antonio Sandoval, # 57580 was designated as a violent sexual predator.

The meeting returned to regular session.

Miscellaneous Business

- The board will meet again on Friday, 1/13/06.

The meeting was concluded at 12:30 p.m.

Submitted by:
Kathy Baird
Management Assistant